

**LEVIN-EPSTEIN & ASSOCIATES, P.C.**

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December 21, 2023

**VIA ECF**

The Honorable Dale E. Ho, U.S.D.J.  
U.S. District Court, Southern District of New York  
40 Foley Square  
New York, NY 10007

**MEMO ENDORSED**

Re: *Mbaye et al v. RCI Hospitality Holdings, Inc. et al*  
**Case No.: 23-cv-02967**

Dear Honorable Judge Ho:

This law firm represents Plaintiffs Elhadji Mbaye (“Mbaye”), Modou Diop (“Diop”) Tahirou Diakite (“Diakite”) and Talla Samb (“Samb”, and collectively, the “Plaintiffs”) in the above-referenced matter. This letter is submitted jointly with Defendants RCI Hospitality Holdings, Inc. (“RCIHH”), Peregrine Enterprises Inc. (d/b/a Rick’s Cabaret New York), RCI 33rd Ventures, Inc. (d/b/a Hoops Cabaret and Sports Bar), 48 West 33rd Street Corp. (d/b/a Hoops Cabaret and Sports Bar), RCI Dining Services (37th Street), Inc. (d/b/a Vivid Cabaret) (collectively, the “Corporate Defendants”), Eric Langan, and Kes Senevi (collectively, the “Individual Defendants”, and with the Corporate Defendants, the “Defendants”)

Pursuant to Your Honor’s Individual Motion Practice Rules, this letter respectfully serves to request an extension of Plaintiffs’ deadline to file a reply in further support of their motion for conditional certification from January 26, 2024, to, through and including, February 12, 2024. This is the second request of its nature. The basis of this request is that Defendants’ letter motion, filed on December 21, 2023 [Dckt. No. 59], contained an inadvertent scrivener’s error, with respect to Plaintiffs’ proposed reply filing deadline.

In light of the foregoing, it is respectfully requested that the Court extend Plaintiffs’ deadline to file a reply in further support of their motion for conditional certification from January 26, 2024, to, through and including, February 12, 2024.

We thank the Court for its attention to this matter, and are available at the Court’s convenience to answer any questions related to the foregoing.

Application GRANTED. Plaintiffs' deadline to file a reply is hereby extended to **February 12, 2024**.

SO ORDERED.

The Clerk of Court is respectfully requested to terminate ECF No. 61.


Respectfully submitted,

LEVIN-EPSTEIN & ASSOCIATES, P.C.

By: /s/ Jason Mizrahi

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VIA ECF: All Counsel

  
Dale E. Ho  
United States District Judge  
New York, New York  
Dated: December 22, 2023